IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS **EASTERN DIVISION**

DALLEN and PEGGY WENDT, husband and wife,

Illinois limited liability company; JIM

HANDLER, an individual; STEVE THAYER,

an individual; GREGORY BERTSCH, an individual; BUSINESS PLANNING

SYSTEMS, LLC a/k/a BPS International, LLC, an Illinois limited liability company;

OFFSHORE TRUST SERVICE, INC., a

CRITHFIELD, an individual; DUANE J.

CRITHFIELD, an individual; FOSTER & DUNHILL CONSULTING, INC., a Florida

corporation; FOSTER & DUNHILL PLANNING SERVICES, LLC, a Florida

limited liability company; STEPHEN P.

an Illinois corporation; and TRACY J.

SUNDERLAGE RESOURCE GROUP, INC.,

Florida corporation; JOSHUA J.

DONALDSON, an individual;

SUNDERLAGE, an individual,

DUGGAN, an individual: THOMAS

Plaintiffs,

Case No.: 08CV03612

NOTICE OF UNAVAILABILITY

v.

6 HANDLER, THAYER & DUGGAN, LLC, an 7

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NOTICE OF UNAVAILABILITY - 1

TO: THE CLERK OF THE COURT;

AND TO: GWEN R. PINSON, BARBARA B. EDELMAN, AND CHRISTOPHER

M. PARENTI, attorneys for Handler, Thayer & Duggan, LLC, Gregory J. Bertsch, James M. Duggan, Steven J. Thayer, and Thomas J. Handler:

AND TO: PETER M. KING, KASEY M. FOLK, AND WILLIAM H. JONES,

attorneys for Stephen P. Donaldson, Foster & Dunhill Consulting, Inc.,

and Foster & Dunhill Planning Services, LLC:

Defendants.

BERESFORD • BOOTH PLLC

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You and each of you please take notice that Paul Richard Brown, attorney of record for Plaintiffs Dallen and Peggy Wendt in the above-entitled proceeding, will be absent from his offices from August 11, 2008 through August 18, 2008. The undersigned therefore requests that no depositions, motions, Court hearings, CR 35 examinations or other matters be scheduled during this period of time which would require his attention in person or by pleading.

The undersigned further requests that the Clerk of the Court transmit this information whenever any motion or other matter is set within the time period stated above to inform the Court hearing the matter of the filing of this Notice.

DATED this 28th day of July, 2008.

/s/ Paul Richard Brown

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Counsel for Plaintiffs Dallen and Peggy
Wendt

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CERTIFICATE OF SERVICE

I hereby certify that on July 28, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

Gwen R. Pinson Barabara B. Edelman Christopher M. Parenti DINSMORE & SHOHL LLP 250 West Main Street, Suite 1400 Lexington, KY 40507 Phone: (859) 425-1000 gwen.pinson@dinslaw.com Edelman@dinslaw.com

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Counsel for Foster & Dunhill Consulting, Inc., Foster & Dunhill Services, LLC, and Stephen P. Donaldson

DATED this 28th day of July, 2008.

/s/ Paul Richard Brown

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Counsel for Plaintiffs Dallen and Peggy Wendt

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NOTICE OF UNAVAILABILITY - 3

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